

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
CHICAGO DIVISION**

**CAROLYN MILLER, on behalf of herself
and other similarly situated,**

Plaintiff,

CASE NO. 1:18-cv-04088

v.

Hon. Rebecca R. Pallmeyer

SOUTHWEST CREDIT SYSTEMS, L.P.,

Defendant.

**DEFENDANT SOUTHWEST CREDIT SYSTEMS, L.P.’S
STATEMENT OF MATERIAL FACTS**

TO THE HONORABLE JUDGE:

COMES NOW, Defendant Southwest Credit Systems, L.P. (“SWC”), submits this Statement of Material Facts in Support of its Motion for Summary Judgment in accordance with Local Rule 56.1, stating as follows:

1. SWC sent a letter to Plaintiff on March 29, 2018. (Doc. 1-1 at 6).
2. This letter states that the “creditor” of the debt at issue is “MONI.” *Id.*
3. This letter states that the account number the for debt at issue is 601119902
4. Prior to the date on which SWC sent this letter, Plaintiff had an active alarm monitoring account with Platinum Protection. Exhibit E at 25:3-23; Depo. Exhibit 1.
5. This account was later assigned to Monitronics International, Inc. per the terms of the contract entered into and signed by Plaintiff. Depo. Exhibit 1; Depo. Exhibit 1A (enlarged Assignment clause).

6. Plaintiff has this account from approximately July 30, 2011 until October of 2014. (date of contract, Depo. Exhibit 1); (Exhibit E at 30:1-9; Depo. Exhibit 2 (cancellation letter sent to Monitronics))
7. In October of 2014, Plaintiff sent a letter asking that “Monitronics” account with an account number of 601119902 be cancelled. (Doc. 1-1 at 6).
8. Therefore, the entity and the account number for the cancelation letter sent by Plaintiff in October of 2014 match the entity and account number for the March 29, 2018 letter sent by SWC. (Doc. 1-1 at 6; Exhibit D).
9. Thereafter, in September of 2016, Monitronics rebranded and changed its name to MONI. Exhibit 1 at 2.
10. Then, in 2017, Plaintiff’s account was placed with SWC for collection. (Exhibit C).
11. At the time the debt was assigned to SWC, the original creditor was, in fact, MONI. *Id.*
12. As such, the March 29, 2018 letter undisputedly stated the name of “the creditor to whom the debt is owed.” (Doc. 1-1 at 6; Exhibit A).
13. The debt assigned to SWC was for Carolyn Webber. (Doc. 1-1 at 6).
14. This lawsuit has been filed by Carolyn Miller. (Doc. 1; Doc. 1-1; see this Court’s PACER docket).
15. As acknowledged by Plaintiff’s filings, and for purposes of this suit, Carolyn Webber and Carolyn Miller are the same person. (Doc. 1; Doc. 1-1).

Dated: March 20, 2019.

Respectfully submitted,

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/s/ Robbie Malone

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COUNSEL FOR DEFENDANT

SOUTHWEST CREDIT SYSTEMS LP

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing has been forwarded through the **CM/ECF** system on this 20th day of March, 2019.

Celetha Chatman

Michael Wood

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/s/ Xerxes Martin

XERXES MARTIN